UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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LEIGHTON K. CHONG
OSTRAGER CHONG & FLAHERTY (HAWAII)
841 BISHOP STREET, SUITE 1200
HONOLULU, HI 96813

EXAMINER
LE, DEBBIE M

ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 03/04/2004 4

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 August 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Priority

Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 12/3/01(pp # 2) is in compliance with the provisions of 37 CFR 1.97 and has been considered by the examiner.

The information disclosure statement filed on 3/8/02 (pp #3) fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered. PTO form 1449 is missing.

The information disclosure statement filed on 3/8/02 (pp #3) fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 11-18 are rejected under 35 U.S.C. 102(e) as being anticipated by

Fruensgaard et al (US Patent 6,513,036 B1).

As per claims 1 and 18, Fruensgaard discloses a system for creating a

personalized user profile for searching a database comprising:

(a) displaying to the user an index of choices (*pull-down menu*, col. 8, line 13)

representing content items stored in the database (*database*, col. 8, line 24), wherein

each choice of the index is associated with a set of related keywords (keywords, col. 8,

line 9-11) representing categories (*categorized*, col. 10, lines 8-22) for the content items

stored in the database;

(b) establishing a personal profile (*user profile*, col. 2, line 50) for the user

comprising keywords compiled from selections made by the user from the displayed

index and entered as user input on the computer (*user specified choices*, col. 8,

line 21);

(c) receiving a first user input of a selection of a choice from the displayed index, and retrieving the associated keywords related to the selected choice in order to generate a set of search phrases using the associated keywords (col. 8, lines 9-17, line 21-22);

(d) conducting a search of the database using the set of search phrases as search queries to the database, and returning one or more objects from the database in response to the search queries (col. 8, lines 23-46);

(e) displaying to the user a new index of choices representing the objects returned from the database, wherein each choice on the displayed index is associated with the keywords used in the search phrase that returned the object represented (*the user is presented with additional choices*, col. 9, lines 20-21);

(f) receiving a subsequent user input of a selection of a choice from the displayed index (*the user can continue the search based on updated information,* col. 9, lines 21-25, *the line 42-43*), and updating the user's personal profile with the keywords used in the search phrase that returned the selected object (*a dynamic update*, col. 4, lines 52-59);

(g) retrieving associated keywords related to the keywords used in the search phrase that returned the selected object in order to generate a subsequent set of search phrases using the associated keywords (col. 9, lines 44-45);

(h) conducting a subsequent search of the database using the subsequent set of search phrases as further search queries to the database, and returning one or more objects from the database in response to the search queries (col. 9, lines 46-49);

(i) displaying to the user a new index of choices representing the objects returned from the database, wherein each choice on the displayed index is associated with the keywords used in the search phrase that returned the object represented (*dynamic update, the user is presented with additional choices*, col. 9, lines 20-21); and

(j) iteratively continuing the cycle of user input by selection from the displayed index of choices (*the user is presented with additional choices*, col. 9, lines 20-21), updating the user's personal profile with keywords used in the search phrase that returned the object selected by the user (*a dynamic update*, col. 4, lines 52-59), using associated keywords related to the selected keywords to generate a subsequent set of search phrases (col. 9, lines 44-45), and conducting a further search of the database with the subsequent set of search phrases (col. 9, lines 46-49), thereby enhancing the depth of the personal profile and allowing it to be used to uniquely characterize the particular interests of the user in computerized applications that are to be personalized to the user (col. 3, lines 48-56, col. 4, lines 52-59, col. 10, lines 5-7).

As per claim 2, a method according to claim 1, Fruensgaard teaches wherein the method is implemented on a computer connected to a network (network card, fig. 4, # 401), and the network is a repository of a large or distributed database of information (col. 1, lines 49-50, col. 8, line 24).

As per claim 3, a method according to claim 2, Fruensgaard teaches wherein the network is the World Wide Web (Internet) having multitude of websites storing a distributed database of information (*references/links to relevant information in a number*

of information sources, col. 8, lines 25-25), and the user uses a standard browser as an

interface on the computer to the World Wide Web (col. 9, lines 17-19).

As per claim 4, a method according to claim 1, Fruensgaard teaches wherein the

personal profile for the user is a Personal Word Map comprising keywords (col. 2, lines

50-56, col. 10, lines 47-49) compiled from selections made by the user from the

displayed index (col. 10, lines 48-52).

As per claim 5, a method according to claim 3, Fruensgaard teaches wherein to

initiate a session by the user to visit a website on the World Wide Web (col. 10, lines 52-

54), a Site Navigation Map (*link to a website "Yahoo"*, col. 15, line 24, col. 16, lines 18-

25) containing choices of objects representing categories of content items stored on the

website is displayed as an initial index to the user (col. 11, lines 1-19).

As per claim 6, a method according to claim 5, Fruensgaard teaches wherein the

Site Navigation Map is included in a Site Word Map containing lists of default: keywords

associated with each choice displayed to the user (a category tree, col. 13, lines 49-50,

col. 15, lines 24-25).

As per claim 7, a method according to claim 4, Fruensgaard teaches wherein to

initiate a session on the computer by the user, a previous Personalized Word Map

stored on the computer is retrieved (col. 2, lines 49-54, col. 4, lines 21-25), or, if there is

no stored personal word map, a default (initial) word map is retrieved (col. 4, lines 28-

29, lines 32-24).

As per claim 8, a method according to claim 4, Fruensgaard teaches wherein two

associated keywords from a list of associated keywords (*one or more keywords*, fig. 2a,

203, col. 10, lines 47) related to a choice selected by the user (*other criteria*, fig. 2a,

202, col. 10, line 49) are used to generate each search phrase (*press a button (204) to*

initiate the search, col. 10, line 53), and the two associated keywords used in the search

phrase that returned an object selected by the user (*and retrieval of relevant*

information) are added to the user's Personalized Word Map (col. 3, lines 48-56).

As per claim 9, a method according to claim 8, Fruensgaard teaches wherein the

two associated keywords are each added to the Personalized Word Map as a keyword

and its complementary keyword is added as an associated word (col. 5, lines 58-60, col.

9, lines 58-62).

As per claim 11, amethod according to claim 1, Fruensgaard teaches prior to

displaying a new index of objects returned from search queries to the database, the

step of selecting and filtering objects to be included in the display according to pre-

determined parameters (col. 6, lines 12-20, col. 10, lines 32-35).

As per claim 12, a method according to claim 11, Fruensgaard teaches the step

of publishing and influencing the selection of objects to be presented in the display

according to predetermined parameters (col. 9, lines 8-16, 63-66).

As per claim 13, a method according to claim 12, Fruensgaard teaches wherein

the step of influencing the selection of objects to be presented in the display includes

selecting those objects whose search phrases include a keyword that matches a

keyword already listed on the Personalized Word Map (col. 5, lines 58-60).

As per claim 14, a method according to claim 5, Fruensgaard teaches wherein the personal profile for the user is used to identify the user's preferences for items of interest on a website visited by the user (col. 2, lines 40-48, col. 8, lines 29-59).

As per claim 15, a method according to claim 14, Fruensgaard teaches wherein the personal profile for the user is used at the transaction layer of a website (col. 16, lines 41-45, col. 17, lines 1-11).

As per claim 16, a method according to claim 14, Fruensgaard teaches wherein the personal profile for the user is used to display items retrieved from the database of the website that match the preferences of the user (col. 8, lines 65-67, col. 9, lines 1-14).

As per claim 17, a method according to claim 1, Fruensgaard teaches wherein the personal profile for the user is used for a database application involving one of the group consisting of: Cultural Pattern Recognition; Geographic Trend Analysis; Demographic Visualization; Behavioral Characterization of Markets; and Language and Culture Migration (col. 10, lines 43-46, lines 55-56).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fruensgaard et al (US Patent 6,513,036 B1) in view of Ortega et al (US Patent 6,489,968 B1).

As per claim 10, a method according to claim 9, Fruensgaard does not explicitly teach wherein each keyword and associated word includes a weight value representing the number of times that word has been used in a search phrase in association with its associated word, and if a word is a keyword used in a subsequent search phrase that returned an object selected by the user and is already listed as a keyword on the Personalized Word Map, the weight value of the keyword is incremented by one, and the weight value of its associated word is incremented by one if already associated or the associated word is added if not already associated. However, Ortega discloses that each keyword and associated word (*audiobooks,* fig. 8) includes a weight value (*weighted scores,* fig. 8) representing the number of times that word has been used in a search phrase in association with its associated word (*purchase,* fig. 8, col. 2, lines 8-

10) and if a word is a keyword used in a subsequent search phrase that returned an object selected by the user and is already listed as a keyword on the Personalized Word Map, the weight value of the keyword is incremented by one, and the weight value of its associated word is incremented by one if already associated or the associated word is added if not already associated (col. 13, lines 29-54). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to implement the step of weight value representing the number of times that word has been used in a search phrase by incrementing its by one. It would provide the ability for users to identify the most popular items and categories which helps the users with a better possibility of finding interesting and relevant information faster.

Conclusion

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose phone number is (703) 305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is 703-308-6409. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

DEBBIE M LE
Examiner
Art Unit 2177

Debbie Le

Jan. 29, 2004.

JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100